

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA  
AT BECKLEY**

**RICHARD M. JANNEY,**

**Plaintiff,**

**vs.**

**Civil Action No.**

**JOHN D. BERRYMAN**

**Defendant.**

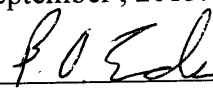
**DECLARATION OF BRIAN D. EDENS**

1. I am Brian D. Edens, Chief, Human Resources, of the Beckley, West Virginia (“WV”) Veterans Affairs Medical Center (“VAMC”), of the United States Department of Veterans Affairs (“the Department”). I am familiar with the official personnel records maintained by the Department as well as with the system by which those records are maintained.
2. I have reviewed the complaint in this matter.
3. The Department maintains records of administrative tort claims filed with the Department.
4. As a consequence, if an administrative tort claim had been filed with the Department with respect to allegations within the complaint in this matter, a record of that filing would be maintained in the Department’s records.
5. I caused a search of the Department’s records by contacting those Department officials who maintain records of administrative tort claims, and found no record of an administrative tort claim filed by Richard M. Janney or on his behalf involving the allegations contained within the complaint in this matter.

6. Official agency records also indicate that John D. Berryman was an employee of the Department of Veterans Affairs at all times relevant to the complaint in this matter.

I declare under the penalty of perjury that the foregoing is true and correct. 28 U.S.C. § 1746.

Dated at Beckley, WV, this 11<sup>th</sup> day of September, 2015.

  
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Brian D. Edens